

EXHIBIT "B"

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DONALD J. TRUMP FOR	:	CASE NO. 4:20-CV-02078-MWB
PRESIDENT, INC., et al.,	:	
	:	
Plaintiffs,	:	The Hon. Matthew W. Brann
v.	:	
	:	
KATHY BOOCKVAR, et al.,	:	
	:	
Defendants.	:	

---

**EXPERT REPORT OF MATTHEW  
BRAYNARD**

---

**I. INTRODUCTION**

I have been retained as an expert witness on behalf of Intervenor in the above-captioned proceeding. I expect to testify on the following subject matters: (i) analysis of the database for the November 3, 2020 election for the selection of Presidential Electors in the Commonwealth of Pennsylvania ("Commonwealth"); (ii) render opinions regarding whether individuals identified in the Commonwealth's voter database actually had their votes counted or received mail-in ballots; and (iii) render opinions regarding whether certain individuals identified in the Commonwealth's voter database were actually qualified to vote on election day.

This is my opinion and an outline of the factual basis for this opinion. The opinions and facts contained herein are based on the information made available to me in this case

prior to preparation of this report, as well as my professional experience as an election data analyst.

I reserve the right to supplement or amend this statement on the basis of further information obtained prior to the time of trial or in order to clarify or correct the information contained herein.

## **II. DOCUMENTS REVIEWED**

I reviewed the following documents in arriving at my opinions.

1. The voter records and election returns as maintained on the Commonwealth's election database;
2. Records maintained by the National Change of Address Source which is maintained by the United States Postal Service and which is available for licensed users on the internet. I am a licensed member.
3. Records developed by the staff of my call centers and social media researchers; and
4. A national voter database maintained by L2 Political;

In addition, I discussed the facts of this matter with Petitioner's attorney Erick G. Kaardal and members of his legal team.

## **III. PROFESSIONAL QUALIFICATIONS**

I have attached hereto as Exhibit 1 a true and correct copy of my resume. As detailed in the resume, I graduated from George Washington University in 2000 with a degree in business administration with a concentration in finance and management information systems. I have been working in the voter data and election administration

field since 1996. I have worked building and deploying voter databases for the Republican National Committee, five Presidential campaigns, and no less than one-hundred different campaigns and election-related organizations in all fifty states and the U.S. Virgin Islands. I worked for eight years as a senior analyst at the nation's premier redistricting and election administration firm, Election Data Services, where I worked with states and municipalities on voter databases, delineation, and litigation support related to these matters. Also, while at Election Data Services, I worked under our contract with the US Census Bureau analyzing voting age population. Since 2004, I have worked for my own business, now known as External Affairs, Inc., providing statistical and data analysis for local, state, and federal candidates and policy organizations in the areas of voter targeting, polling/research, fundraising, branding, and online development and strategy. My firm has worked for over two-hundred candidates from president to town council and over a dozen DC-based policy/advocacy organizations.

With respect to publications I have authored in the last 10 years, I have not authored any publications in the last ten years.

#### **IV. COMPENSATION**

Have you ever been accepted in any Court as an "expert"? If so, list that or those.

#### **V. PRIOR TESTIMONY**

I have not provided testimony as an expert either at trial or in deposition in the last four years.

## **VI. STATEMENT OF OPINIONS**

As set forth above, I have been engaged to provide expert opinions regarding analysis in the November 3, 2020 election of Presidential electors. Based on my review of the documents set forth above, my discussions with statisticians and analysts working with me and at my direction, my discussions with the attorneys representing the Petitioners, I have the following opinions:

1. It is my opinion, to a reasonable degree of scientific certainty, that in the Commonwealth, the Commonwealth's database for the November 3, 2020 election show 3,096,057 individuals voted early or applied for and the Commonwealth sent an absentee or mail-in ballot, and 481,022 voters whom the state marks as having requested and been sent an mail-in ballot did not return it. It is my opinion, to a reasonable degree of scientific certainty, that in my sample of this universe, 32.59% of these mail-in voters in the Commonwealth did not request an absentee ballot.
2. From the Commonwealth's database for the November 3, 2020 election and our call center results, it is my opinion to a reasonable degree of scientific certainty that 481,022 individuals whom the Commonwealth's database identifies as having not returned a mail-in ballot, that in my sample of this universe, 27.14% of those mail-in voters did in fact mail back an absentee ballot to the Board of Elections.
3. From the Commonwealth's database for the November 3, 2020 election and the NCOA database and other state's voter databases, it is my opinion to a reasonable degree of scientific certainty, that at least 14,328 mail-in or early voters were not residents of the Commonwealth when they voted.
4. From the Commonwealth's database for the November 3, 2020 election and comparing that data to other states voting data and identifying individuals who cast early/mail-in ballots in multiple states, it is my opinion to a reasonable degree of scientific certainty, that at least 742 individuals in the Commonwealth voted in multiple states.

## **VII. BASIS AND REASONS SUPPORTING OPINIONS.**

It is my opinion that due to the lax controls on mail-in voting in the November 3, 2020 election that the current unofficial results of that election include tens of thousands



of individuals who were not eligible to vote or failed to record ballots from individuals that were.

First, Commonwealth maintains a database for the November 3, 2020 election which I obtained from L2 Political and which L2 Political obtained from the Commonwealth's records on, among other things, voters who applied for an absentee or early voter status. I received this database from L2 Political in a table format with columns and rows which can be searched, sorted and filtered. Each row sets forth data on an individual voter. Each column contained information such as the name of the voter, the voter's address, whether the voter applied for a mail-in ballot, whether the voter voted and whether the voter voted.

Second, we are able to obtain other data from other sources such as the National Change of Address Database maintained by the United States Postal Service and licensed by L2 Political. This database also in table format shows the name of an individual, the individual's new address, the individual's old address and the date that the change of address became effective.

Third, I conducted randomized surveys of data obtained from the Commonwealth's database by having my staff or the call center's staff make phone calls to and ask questions of individuals identified on the Commonwealth's database by certain categories such as absentee voters who did not return a ballot. Our staff, if they talked to any of these individuals, would then ask a series of questions beginning with a confirmation of the individual's name to ensure it matched the name of the voter identified in the

Commonwealth's database. The staff would then ask additional questions of the individuals and record the answers.

Below are the opinions I rendered and the basis of the reasons for those opinions.

1. It is my opinion, to a reasonable degree of scientific certainty, that in the Commonwealth, the Commonwealth's database for the November 3, 2020 election show 3,096,057 individuals voted early or applied for and the Commonwealth sent an absentee or mail-in ballot, and 481,022 voters whom the state marks as having requested and been sent an absentee ballot did not return it. It is my opinion, to a reasonable degree of scientific certainty, that in my sample of this universe, 32.59% of these absentee voters in the Commonwealth did not request an absentee or mail-in ballot.

I obtained this data from the Commonwealth via L2 Political after the November 3, 2020, Election Day. This data identified 3,096,057 individuals as having applied for an absentee/mail-in ballot and the Commonwealth sending an absentee/mail-in ballot to these individuals. This data also identified 481,022 absentee/mail-in voters who were sent a ballot but who failed to return the mail-in ballot.

I then had my staff make phone calls to a sample of this universe. When contacted, I had my staff confirm the individual's identity by name. Once the name was confirmed, I then had staff ask if the person requested an absentee ballot or not. Staff then recorded the number of persons who answered yes. My staff then recorded that of the 1,706 individuals who answered the question, 1150 individuals answered yes to the question whether they requested an absentee ballot. My staff recorded that 556 individuals answered no to the question whether they requested an absentee ballot. Attached as Exhibit 2 is my written analysis containing information from the data above on absentee voters. Paragraph 2 of Exhibit 2 presents this information.

Next, I then had staff ask the individuals who answered yes, they requested a mail-in ballot, whether the individual mailed back the ballot or did not mail back the ballot. Staff then recorded that of the 1,106 individuals who answered the question, 463 individuals answered yes, they mailed back the mail-in ballot. Staff recorded 643 individuals answered no, they did not mail back the mail-in ballot. Paragraph 2 of Exhibit 2 presents this information.

Based on these results, 32.59% of our sample of these voters in the Commonwealth did not request a mail-in ballot.

2. From the Commonwealth's database for the November 3, 2020 election and our call center results, it is my opinion to a reasonable degree of scientific certainty that out of the 481,022 individuals whom the Commonwealth's database identifies as having not returned a mail-in ballot, that in my sample of this universe, 27.14% of those voters did in fact mail back a mail-in ballot to the Board of Elections.

This opinion includes the analysis set forth above. Among the 1106 who told our call center that they did request a mail-in ballot and answered the second question, 325 told our staff that they mailed the ballot back, which is 27.14 of the total sample of 1706 whom the Commonwealth identified as having not returned the ballot the Commonwealth sent them. Paragraph 2 of Exhibit 2 presents this information.

3. From the Commonwealth's database for the November 3, 2020 election and the NCOA database and other state's voter databases, it is my opinion to a reasonable degree of scientific certainty, that at least 14,328 mail-in or early voters were not residents of the Commonwealth when they voted.

On Exhibit 2, in paragraph 1, I took the Commonwealth's database of all mail-in or early voters and matched those voters to the NCOA database for the day after Election Day. This data identified 7,426 individuals who had moved of the Commonwealth prior



to Election Day. Further, by comparing the other 49 states voter databases to the Commonwealth's database, I identified 7051 who registered to vote in a state other than the Commonwealth subsequent to the date they registered to vote in the Commonwealth. When merging these two lists and removing the duplicates, and accounting for moves that would not cause an individual to lose their residency and eligibility to vote under Commonwealth law, these voters total 14,328.

4. From the Commonwealth's database for the November 3, 2020 election and comparing that data to other states voting data and identifying individuals who cast early/mail-in ballots in multiple states, it is my opinion to a reasonable degree of scientific certainty, that at least 742 individuals in the Commonwealth voted in multiple states.

On Exhibit 2, in paragraph 2, I had my staff compare the Commonwealth's early and mail-in voters to other states voting data and identified individuals who cast early/mail-in ballots in multiple states. My staff located 742 individuals who voted in the Commonwealth and in other states for the November 3, 2020 general election.

#### **VIII. EXHIBITS TO BE USED AT TRIAL TO SUMMARIZE OR EXPLAIN OPINIONS**

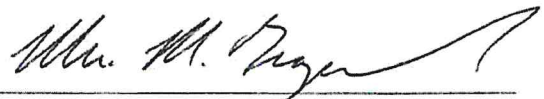
At the present time, I intend to rely on the documents identified above as possible exhibits.

**REMAINDER OF PAGE LEFT INTENTIONALLY BLANK**

**SIGNATURE PAGE TO FOLLOW**



Dated: 11/20/2020

A handwritten signature in black ink, appearing to read "Mat. M. Braynard", written over a horizontal line.

Matthew Braynard

**MATT BRAYNARD****EXHIBIT "1"**

202.423.5333 (c) | matt@braynard.com

Matt Braynard is the president of both political consulting firm External Affairs, Inc., and a voter-registration non-profit, Look Ahead America.

**CURRENT EMPLOYMENT**

External Affairs, Inc.

**Principal****2004 – Present**

External Affairs, Inc. works for local, state, and federal candidates and policy organizations in the areas of voter targeting, polling/research, fundraising, branding, and online development and strategy. The firm has worked for over two-hundred candidates from president to town council and over a dozen DC-based policy/advocacy organizations.

Look Ahead America, Inc.

**President****March 2017 – Present**

Matt founded LAA, a 501(c)(3), along with over thirty other former Trump campaign staffers with the goal of registering and turning out disaffected, patriotic voters.

**PREVIOUS EMPLOYMENT**

Donald J. Trump for President, Inc.

**Director, Data Division****October 2015 – March****2016**

Matt was responsible for developing the voter contact strategy, building technology infrastructure, managing vendor relationships, recruiting the data division staff, and supporting and auditing state efforts on door-to-door, phone, mail, and email operations.

Election Data Services, Inc.

**Senior Analyst****2001-2005**

Matt Braynard was responsible for analyzing and redistricting states and municipal political boundaries, as well as analyzing election result administration data.

Republican National Committee

**Political Analyst****1996, 1998-2001**

Matt Braynard worked in the political analysis department developing and deploying voter targeting databases, and directed the precinct election result research project.

Luntz Research Companies

**Research Consultant****1997-2001**

Matt Braynard analyzed survey topline and cross tabulations to create executive presentation materials.

**EDUCATION**

Columbia University

**2018****Master of Fine Arts**

Writing Program

The George Washington University

**Bachelors of Business Administration****2000**

Concentrations in Finance and Management Information Systems

## EXHIBIT "2"

Date: November 19, 2020

From: Matt Braynard  
 External Affairs, Inc.  
[matt@braynard.com](mailto:matt@braynard.com)  
 202.423.5333  
 November 19, 2020

Re: Pennsylvania Voter Integrity Project: Illegal Ballots Preliminary Results

---

This is an outline of the six analysis methods we have applied to the State of Pennsylvania ("State") and the results we have obtained as of the date set forth above.

### 1. Residency Violations

We have evaluated early and absentee voters who were matched to the national change of address database (NCOA) or are found to have registered to vote in other states subsequent to their registration in target states (OOSSR), strongly indicating a violation of residency requirements.

	NCOA	OOSSR	Merged
PA	7,426	7,051	14,477

The OOSSR would be much higher, but we limited due to the lack of full dates of birth available to us from many states' voter databases. A full, complete birthdate is necessary for our match process.

### 2. Double Voting (Early/Absentee ONLY)

We compared the target state early and absentee voters to other states voting data and identified individuals who cast early/absentee ballots in multiple states.

PA: 742

### 3. Confirmation of "Unreturned" Absentee Ballots

I obtained data from the State via L2 Political after the November 3, 2020, Election Day. This data identified 3,096,057 individuals as having voted early or applied for an absentee or mail-in ballot and the State sending an absentee ballot to these individuals. This data also identified 481,022 absentee voters who were sent a ballot but who failed to return the absentee ballot.

We then called a sample of these voters totaling 2114 individuals to ask if they requested the absentee ballot. If the individual said they did request it, we asked if they also returned it. Of the 2,114 individuals our call center contacted and spoke with whom the State data identified as

having requested an absentee ballot but identified as having not returned the ballot, our call center identified 383 individuals who did not request an absentee ballot. Among the 1106 who did request the ballot and agreed to answer whether or not they returned it, 325 individuals who told our call center that they returned a ballot.

<b>State</b>	<b>Did Not Request</b>	<b>Percentage of 1106 Sample</b>
Pennsylvania	383	32.59%

<b>State</b>	<b>Requested &amp; Returned</b>	<b>Percentage of 1106 Sample</b>
Pennsylvania	325	27.14%